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February 12, 2008

BY ELECTRONIC FILING AND HAND DELIVERY

The Honorable Joseph J. Farnan, Jr.
United States District Court
for the District of Delaware
844 N. King Street
Wilmington, Delaware 19801

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VERSION

Re: *The Procter & Gamble Company v. Teva Pharmaceuticals USA, Inc.* ;
Civil Action No. 04-940-JJF

Dear Judge Farnan:

I write to alert the Court to the probability that plaintiff The Procter & Gamble Co. ("P&G") will be filing a motion for a preliminary injunction in the above-referenced action in the very near future.

As the Court is aware, P&G is the owner by assignment of United States Patent No. 5,583,122 (the "'122 patent") entitled "Pharmaceutical Compositions Containing Geminal Diphosphonates," which issued on December 10, 1996 and expires on December 10, 2013. Among other compounds, the '122 patent covers the commercial formulation of the compound risedronate sodium, which is manufactured and sold by P&G under the trade name Actonel®.

P&G initiated this action on August 13, 2004 as a result of the filing by Defendant Teva Pharmaceuticals USA, Inc. ("Teva") of an Abbreviated New Drug Application ("ANDA") No. 77-132 with the Food and Drug Administration ("FDA"), seeking approval to market a generic version of Actonel® in the United States. The parties tried the case to this Court from November 6-8, 2006, with briefing thereafter. A decision in the case is currently pending.

Pursuant to 21 U.S.C. § 355 (j)(5)(B)(iii), P&G's filing of this action triggered a 30-month statutory stay on FDA approval of Teva's ANDA No. 77-132. That stay expired on January 2, 2007. See 21 U.S.C. § 355(j)(5)(B)(iii).

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P&G is available to discuss this matter telephonically or in person should the Court have any questions or concerns.

Respectfully,

Frederick L. Cottrell, III by *Att/ J. 4015*

Frederick L. Cottrell, III (#2555)

FLC,III/afg

cc: Josy W. Ingersoll, Esq. (by electronic filing and hand delivery)
David B. Bassett, Esq. (by facsimile)